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EXAMINER

HUYNH, CONG LAC T

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Paper No. 21

Application Number: 09/222,906
Filing Date: December 30, 1998
Appellant(s): DELEEUW, WILLIAM C.

Stephen Neal
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 2/9/04.

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

The brief contains a statement that there are no related appeals.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant's statement of the issues in the brief is correct.

(7) *Grouping of Claims*

Appellant's brief includes a statement that claims 1-5, 8-12, 18-19 in group A and claims 6-7, 13-17 in group B do not stand or fall together and provides reasons as set forth in 37 CFR 1.192(c)(7) and (c)(8).

(8) *Claims Appealed*

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) *Prior Art of Record*

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-5, 8-12, 18-19 remain rejected under 35 U.S.C. 102(e) as being anticipated by Yokomizo et al. (US Pat No. 5,907,835, 5/25/99, filed 11/17/95).

Regarding independent claim 1, Yokomizo discloses:

- processing a file with a printer driver module to generate a representation having a modified format *for output by a printer* (col 2, lines 24-27: *an electronic filing apparatus capable of accumulating the information to be transmitted from an application software to a printer driver in the database; it was known that the format of a file for printing is modified to obtain a print format*)
- extracting text information from said representation (col 9, lines 22-38: *"...layout information is extracted by the block selection program ...the extracted information is the rectangular area information having the profile of text area or image area; col 6, lines 49-53: "character information is directly extracted from the GDI codes transferred to the driver"; it is noted that the GDI codes are the text information*)

Art Unit: 2178

Regarding claim 2, which is dependent on claim 1, Yokomizo discloses that said extracted information is a text string (col 9, lines 22-38: “..the information ...as keyword, is *extracted from the text information* by the keyword extraction program...”; the information is *extracted from the text information* shows that the extracted information should be a text string).

Regarding claim 3, which is dependent on claim 2, Yokomizo discloses that said extracted information includes at least one text characteristic of said text string (col 9, lines 22-38: “..the information ...as *keyword*, is *extracted from the text information* by the keyword extraction program...”; the extracted information includes keywords which is the text characteristic of the text string).

Regarding claim 4, which is dependent on claim 3, Yokomizo discloses storing said text string and said at least one text characteristic of said text string in a database (col 9, lines 22-38: “..the information ...is extracted from the text information ...and *stored in the database*13 through the database API 32”).

Regarding claim 5, which is dependent on claim 4, Yokomizo discloses:

- launching an owning application used to create said file (col 10, lines 4-22: “...the *application prepares a document and stores it in the electronic file...*”)
- instructing said owning application to print said file using said printer driver module (col 10, lines 30-41: “...upon *selection of a print menu*, a print start message is sent to the

OS...upon reception of the print start message from the application, starts the driver...having received the GDI code, the OS transfers said GDI code without change to the printer driver if the GDI printer driver is employed...”)

Claims 8-12 are for a set of instructions for executing the method claims 1-5, and are rejected under the same rationale.

Claims 18-19 are for an apparatus for method claims 1 and 5, and are rejected under the same rationale.

The apparatus further includes the extraction printer driver module to convert printing instructions from the extraction application module into a format for output.

Yokomizo discloses converting printing instructions from the extraction application module into a format for output (col 10, lines 30-58: “in case ofa GDI service for converting the GDI codes into a bit map in the OS, and the bitmap is transferred to the filing driver ... the filing driver analyzed the received GDI code ... sends printing completion....”). This shows that Yokomizo system inherently includes the extraction printer driver module.

Claims 6-7, 13-17 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Yokomizo et al. (US Pat No. 5,907,835, 5/25/99, filed 11/17/95, priority 11/18/94).

Regarding claim 6, which is dependent on claim 5, Yokomizo does not disclose:

Art Unit: 2178

- obtaining a current list of files and a previous list of files
- comparing said current list with said previous list to identify new files and modified files
- repeating the processing, extracting, and storing for each new file and each modified file

Instead Yokomizo discloses:

- storing extracted information in the database (col 9, lines 34-38)
- analyzing and classifying text documents (col 13, lines 42-48)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Yokomizo to include the current list of files and a previous list of files since the feature of storing extracted information in the database suggests that the data stored in the database should form a list of files in the database.

Furthermore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Yokomizo to include comparing said current list with said previous list to identify new files and modified file because of the following reason. It was well known in document processing that each file when created or modified, has an associated time and date of creating and modifying to be stored along with the file. So, based on that, a file is easily recognized being a new file or a modified file.

In addition, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have incorporated repeating the processing, extracting, and storing steps for each new file and each modified file since there is a plurality of

Art Unit: 2178

information to be extracted to store in the database as files, the processing, extracting, and storing the files need to be repeated for each of the files.

Regarding claim 7, which is dependent on claim 6, Yokomizo discloses searching said database for at least one document, which includes desired text (col 9, lines 34-38, ..the stored document can be easily viewed by the search module; col 15, lines 42-52, registering *text information in the database*...database search means for *effecting search of text information in the database*; col 16, lines 1-9, the database search means 14 searches the entire text information registered in the database...).

Claims 13-14 are for a set of instructions for executing the method claims 6-7, and are rejected under the same rationale.

Claims 15-17 are for a system for the method claims 1 and 5, and are rejected under the same rationale.

The system further includes:

- a cataloging device which including a processor adapted to be connected to a computer readable memory
- a database and a network connected to said cataloging device
- the attraction printer driver module to convert the file for extracting information into a format for output by a printer

Art Unit: 2178

- *a searching application module included within said computer readable memory, the searching application to search for text information from the converted file*

Yokomizo discloses:

- a database is connected to the cataloging device (figure 1, the computer 100 is connected to the database 13)
- a network is connected to the cataloging device (col 4, lines 53-55, a database API 10-4 is used for connection to a database which can be a local one or a remote one connected through a *network*)
- converting the file for extracting information into a format for output by the printer (col 6, lines 49-53: *character information is directly extracted from the GDI codes transferred to the driver; and col 10, lines 30-58: "in case ofa GDI service for converting the GDI codes into a bit map in the OS, and the bitmap is transferred to the filing driver ... the filing driver analyzed the received GDI code ... sends printing completion...."*)
- *the searching application module included within said computer readable memory, the searching application to search for text information from the converted file (col 18, lines 22-64: "the database search means releases the document image file name or the file name but there may be instead provided application activating means and, in case document information prepared by an ordinary application is searched, such application may be activated...it is therefore rendered possible to effect text search with a high accuracy, and to*

effect search also for the document image entered by the scanner, with similar operations...")

Yokomizo does not disclose a cataloging device which including a processor adapted to be connected to a computer readable memory.

However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Yokomizo to include the cataloging device since it was well known that any computer includes a processor which is connected to a computer readable memory. These two parts connected together are considered equivalent to the cataloging device as claimed.

(11) Response to Argument

Appellants argue that Yokomizo fails to disclose extracting text information from the representation having a modified format generated by the printer driver module for output by a printer as recited in claims 1, 8, and 18.

Examiner respectfully disagrees.

Yokomizo discloses processing a file (figure 5 and col 6, lines 14-16: the *data* from the scanner), with a printer module to generate a representation *having a modified format* (figure 5 and col 6, lines 14-16: the data from the scanner can be used as it is *converted into the common document by the printer driver*).

Yokomizo further discloses extracting text information from said representation (figure 5 and col 6, lines 49-67: extracting character information ("character information is directly

Art Unit: 2178

extracted from the GDI codes transferred to the driver”), extracting keyword information (“the keyword information is extracted from the character information, utilizing a keyword routine”) *from the common document which contains GDI drawing command or GDI codes* including character information, keyword information, and layout information).

Therefore, the rejections of independent claims 1, 8 and 18 under 35 U.S.C. 102 (e) are proper. Accordingly, the rejections of dependent claims 6-7, 13-17 under 35 U.S.C. 103 (a) are proper.

For the above reasons, it is believed that the rejections should be sustained.


Respectfully submitted,

Cong-Lac Huynh
Examiner
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clh
March 4, 2004

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